

Accompanying the eleventh recommendation of the Registry of Motor Vehicles (House, No. 223). The Judiciary.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty.

**AN ACT PROVIDING FOR A HEARING FOR MOTOR VEHICLE OPERATORS WHO FAIL TO APPEAR IN COURT ON A SUMMONS..**

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:*

1 Section 4 of Chapter 90C of the General Laws is hereby amended  
2 by striking out said section and inserting in place thereof the  
3 following:—

4 If a person fails, without good cause, to appear in any court in  
5 accordance with a summons issued as a result of an automobile law  
6 violation, a warrant for his arrest shall be obtained by the arresting  
7 officer, who shall make every effort to serve it. If the person cannot  
8 be found and does not appear in court before the return date of the  
9 warrant, which shall not be less than thirty (30) days from the  
10 issuance thereof, the Clerk of Court, to which the warrant is  
11 returnable, shall, within thirty (30) days from said return date,  
12 notify the registrar such person has failed, without good cause, to  
13 appear at the time and place specified on the summons and that a  
14 warrant of arrest has been issued.

15 Upon receipt of said notice from the Clerk of Court, the registrar  
16 shall give such person written notice by mail directed to his last  
17 known address that his motor vehicle operator's license or right to  
18 operate will be suspended without further notice at the expiration  
19 of thirty (30) days from the date of mailing such notice, which  
20 expiration date shall be specifically indicated by the Registrar in  
21 said notice, unless within the specified thirty (30) day period the  
22 person shows sufficient cause to the Registrar why his license or  
23 right to operate should not be suspended for failing to appear  
24 before the court where summonsed.

25 The Registrar may also, following substantially the notification  
26 procedures set forth above, suspend the license or right to operate  
27 of any resident or non-resident who failed to answer a summons  
28 issued by a court or another state.

29 If any person fails to show sufficient cause why his license or  
30 right to operate should not be suspended or waives his opportunity  
31 for a pre-suspension hearing, his operator's license or right to  
32 operate shall be automatically suspended on the date indicated on  
33 the notice mailed to him unless the time has been extended by the  
34 Registrar and shall not be thereafter terminated until the Registrar  
35 is satisfied all summonses resulting from automobile law viola-  
36 tions that have been issued to such person have been answered but  
37 in no event less than fourteen (14) days from the date of suspension.

38 The Registrar may enter into reciprocity Agreements or Com-  
39 pacts with proper authorities of such States, which Agreements or  
40 Compacts may include provisions for the suspension or revocation  
41 of operator's licenses or motor vehicle registrations of residents  
42 and non-residents, who fail to answer a summons issued for an  
43 automobile law violation.